



NEWS RELEASE

APACHE COUNTY SUPERIOR COURT

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November 9, 2009

Updated Status of Case

ST. JOHNS – The Apache County Superior Court has received a variety of inquiries as to the current status of the Christian Romero Case. The filings currently under consideration are as follows:

- “Notice of Change of Judge for Cause” filed by Ronald Wood, attorney for the Juvenile on October 27, 2009. This matter was referred by the Apache County Superior Court Presiding Judge to the Navajo County Superior Court Presiding Judge so that a Judge could be assigned to hear this Motion. The Honorable. Thomas Wing was assigned to hear the “Notice of Change of Judge for Cause” and he will determine if it is appropriate to consider the pleading, require responses or hold hearings, pursuant to applicable court rules. To date there has not been a responsive pleading filed by the State. All other hearings and issues will be held in abeyance awaiting a ruling from Judge Wing.
- “Request for Transcript and Second Request for Transcript”, filed by Ronald Wood, counsel for the Juvenile. This pleading refers to a transcript of the October 22, 2009 hearing. A transcript has been prepared, distributed to the parties and is available on the Court’s High Profile Case website.
- “Motion to Enforce Plea Agreement” filed by Ronald Wood on November 6, 2009. This motion will be considered after Judge Wing rules on the change of judge issue. No responsive pleadings have yet been received by the court.
- “Application of Phoenix Newspapers, Inc. and Dennis Wagner to Intervene for the Limited Purpose of Unsealing Letters to the Court” filed by Steptoe & Johnson, LLP. This motion will be considered after Judge Wing rules on the change of judge issue. No responsive pleadings have yet been received by the court.

The November 10, 2009 Status Hearing has been continued without date until a ruling on the change of judge issue is received.

Additional inquiries to the court involve funding and treatment availability and will be addressed in general as they apply to all juveniles in Apache County and are not case specific.

Each Juvenile Probation Department in Arizona has a certain amount of money budgeted for treatment of juveniles placed on probation. This money is used to maximize rehabilitation for juveniles who are able to be managed on probation in their local communities. The money in Apache County comes entirely from the State through the Administrative Office of the Courts. There are no county-generated treatment monies available. The FY2009-2010 Juvenile Probation treatment budget for all juveniles in Apache County totals \$88,159 with less than \$80,000 remaining at this time.

Usage of these monies is determined by evidence-based risk/needs assessments, expert recommendations and evidence-based best practices. Most often the funds are used to finance appropriate expert evaluations, so that case plans can be designed that provide the juvenile with the most appropriate treatment available in the community and also maximize public protection. Other entities, such as mental health providers and schools are utilized to implement the case plan.

Occasionally, a juvenile's probation case plan necessitates a short term placement in a treatment facility or placement for a period of time in the local detention facility. These placements can vary in length based on the needs in the particular case. For example, 48 hours in detention may be an appropriate tool for a specific juvenile to promote rehabilitation. Seven days in an inpatient acute psychiatric unit may be needed for another juvenile and a 30-45 day foster placement may occasionally be indicated to enhance rehabilitation. The needs of other juveniles may be best met with a 90-120 day stay in a residential behavioral modification or drug treatment program.

The available treatment monies are utilized for these probation placement purposes because all assessments have shown that the rehabilitation can best be accomplished for that particular juvenile through probation services combined with the specific short term placement recommended. The most expensive of these placements is obviously one that is residential in nature since housing as well as schooling and therapeutic services are necessarily involved. The State has contracts with various residential placements and these contracts are utilized by the probation departments when placement is necessary. The costs of different placements vary, but a minimum amount of \$200-\$300 a day can be expected for any residential placement.

Adult Probation Departments do not have funding on this same basis and in fact Apache County Adult Probation has no treatment budget. Treatment of adult offenders are funded through other means, such as private insurance, non-profit treatment providers, Federal Title 19 funds, and state and federal grants to treatment providers.

The Arizona Department of Juvenile Corrections (ADJC) is the alternative in Juvenile Court to probation. The goal of both treatment options is rehabilitation of a juvenile, but the Dept. of Corrections is designed to treat those juveniles that cannot be successfully rehabilitated in their communities through probation services and short term placement options, and/or present a risk to the community. ADJC also performs risk/needs assessments and expert evaluations to independently determine the best treatment plan for a juvenile committed to the Department's care. ADJC has a number of treatment options available within their facilities and also regularly contracts with various residential and outpatient providers. ADJC is mandated to accept and treat those juveniles committed to the Department's care by a juvenile judge.

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